THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 34645 of 1998

DATE: 04-04-2007

Between :

M.Sattaiah

… Petitioner

And

The Collector,
Hyderabad District,
Hyderabad and 3 others.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 34645 of 1998

ORDER:

This writ petition was filed on 10-12-1998 seeking a declaration that the action of the respondents in interfering with the property of the petitioner situated in Sy.No.9/2 at Khairatabad, Golconda Mandal, Hyderabad District in spite of the fact that the application made by him on 30-11-1995 requesting to regularize the surplus land held by him in terms of G.O.Ms.NO.925 dated 15-09-1989 and G.O.Ms.No.508 dated 20-10-1995 is arbitrary and illegal.

In response to the Rule Nisi ordered, a counter affidavit has been filed on behalf of the respondents stating that though it is a fact that the petitioner made an application, the same was already considered in terms of G.O.Ms.No.508 and by order dated 28-12-1998, the request of the petitioner was rejected since the land in question is earmarked for public purpose i.e. Budhapoornima Project.

The said fact was also informed to the petitioner by the Collector, Hyderabad vide proceedings dated 28-12-1998.

A copy of the said proceedings dated 28-12-1998 has been placed before this Court.

Since the petitioner's request was already considered and rejected, the writ of *Mandamus* as prayed for cannot be granted.

Accordingly, the writ petition is dismissed. However, liberty is granted to the petitioner to challenge the order dated 28-

12-1998, if so advised by working out the appropriate remedy as available under law. No costs.

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G. ROHINI, J

Dt.04-04-2007
KLP